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JUN 12 2006

ROBERT H. SHEMMELL, CLERK
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE-OPELOUSAS DIVISION

MARK BLACKMAN

VS.

GLOBAL INDUSTRIES OFFSHORE, LLC
PAUL MILLER
RANDY REED

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE-OPELOUSAS DIVISION

CIVIL ACTION NO. 05-1160

JUDGE DOHERTY

MAGISTRATE JUDGE METHVIN

RULING ON MOTION FOR SERVICE OF PROCESS AND ORDER

On June 8, 2006, the undersigned received a letter from *pro se* plaintiff Mark Blackman requesting that the Clerk serve a copy of the original and amended complaints on newly added defendants Paul Miller and Randy Reed.¹

Rule 4(c)(2) of the Federal Rules of Civil Procedure provides:

Service may be effected by any person who is not a party and who is at least 18 years of age. *At the request of the plaintiff, however, the court may direct that service be effected by a United States marshal, deputy United States marshal, or other person or officer specially appointed by the court for that purpose. Such an appointment must be made when the plaintiff is authorized to proceed in forma pauperis pursuant to 28 U.S.C. §1915 or is authorized to proceed as a seaman under 28 U.S.C. §1916.*

Fed. R. Civ. P. Rule 4(c)(2) (emphasis added).

Because plaintiff is proceeding *in forma pauperis*, he is entitled to have his summons and complaint served on defendants by the U.S. Marshal.

Plaintiff's letter also alleges that defendant Global Industries Offshore, LLC ("Global") has "submitted various motions to this court that was never received by plaintiff." A review of the record shows that there has been only one motion filed by Global, a Motion to Substitute Attorney.² This motion did not require a response from plaintiff and the Certificate of Service

¹ See letter from Blackman dated June 7, 2006.

² Rec. Doc. 53.

attached to the motion shows that it was sent to plaintiff at P O Box 261 Milton, FL 32572. The address did not include the entire zip code of "32572-0261." Global shall ensure that future mailings include this zip code.

Considering the foregoing,

IT IS ORDERED that the Clerk shall serve a copy of this order, two (2) summonses, and USM-285 forms for defendants Paul Miller and Randy Reed upon the plaintiff at his last known address.

IT IS FURTHER ORDERED that *within twenty (20) days after service of this order*, the plaintiff shall furnish to the Clerk of Court, Suite 21000, 800 Lafayette Street, Lafayette, Louisiana 70501, one (1) copy of the original and amended complaints, completed summonses for Paul Miller and Randy Reed, and completed USM-285 forms for service.

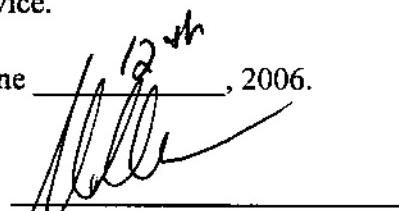
IT IS FURTHER ORDERED that once the Clerk has received the service documents, the Clerk shall serve, through the U.S. Marshal, a copy of the complaint, the appropriate summonses Paul Miller and Randy Reed.

IT IS FURTHER ORDERED that Paul Miller and Randy Reed shall file responses within twenty (20) days after the date of service.

Signed at Lafayette, Louisiana on June 12, 2006.

COPY SENT:
DATE: 6-12-06

BY: gcr
TO: Blackman 2 summon
2 USM 285 form
C/c



Mildred E. Methvin
United States Magistrate Judge
800 Lafayette St., Suite 3500
Lafayette, LA 70501
(337) 593-5140 FAX 593-5155